

1 of 22

COUNTS
= copy

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

DEBRA P. HACKETT
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

EASTERN DIVISION

DEBRA P. HACKETT
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

ALONZO AUSTIN

Plaintiff

V.

CITY OF TUSKEGEE et al.)

Defendants

CASE Number

3:07-CV-754 MHT

Via Certified mailPLAINTIFF MOTION FOR SUMMARY JUDGMENT.

COMES NOW, Plaintiff, ALONZO AUSTIN, and
Moves this Honorable Court for the entry
of an order granting its Motion for Summary
Judgment, against THE CITY OF Tuskegee et al,
pursuant to Rule 56(C) of The Federal Rule
of Civil Procedure, on the grounds that there
is ~~no~~ genuine issue as to any material fact
and the plaintiff(s) is entitled to judgment as
a matter of law.

IN Support of this Motion, Plaintiff(s) refers
to the record in this action, including the Complaint,
the answer to it, and plaintiff(s) attached Affidavit,
exhibits 1, C, 2 & 3 and Submitted brief.

Respectfully Submitted.

by, Alonzo Austin Pro Se

ALONZO AUSTIN

1321 Rivon Carlie Rd., Tuskegee, AL 36083 PHA(334) 727-5476

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ALONZO AUSTIN
Plaintiff

} Case Number

V.

} 3:07-CV-754 MHT

CITY OF TUSKEGEE et al,
Defendant's

AFFIDAVIT IN SUPPORT OF PLAINTIFF(S)
MOTION FOR SUMMARY JUDGMENT

STATE OF ALABAMA } ss.
COUNTY OF MACON }

ALONZO AUSTIN, who, being first duly sworn,
deposes and says:

1. I am ALONZO AUSTIN, and have
knowledge of the facts set forth.

This Affidavit is Submitted in Support
of the plaintiff(s) motion for Summary Judgment
for the purpose of showing that there is in
this action no genuine issue as to any
material fact, and that the plaintiff(s) is
entitled to judgment as a matter of law.

2. On July 5, 2007, at approximately 8:40am
I was driving my vehicle north on state Highway 81

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heading toward I-85 as my vehicle rounded the curve into the straight away nearing the Old Tuskegee or Western INN, Tuskegee City Police Officer Bernice Dawson, was traveling slowly along the shoulder of State highway 81 facing south toward the City of Tuskegee and North of the Old Tuskegee or Western INN, when she activated her blue lights upon the Police Cruiser causing me to stop in the Old Tuskegee or Western INN South parking lot. Where City Police Officer Dawson issued me a traffic citation for speeding 60 mph in a 45 mph zone outside the City Limits of Tuskegee. See: attached citation identified as exhibit "1"

3. Subsequently, Tuskegee City Police Officer Bernice Dawson, instructed me to call City Clerks Office, to determine the ticket amount or if I wished to appear in court to contest same the date would be August 9, 2007 at 9:00 am, before municipal Judge, The Honorable Albert C. Bruns.

4. Several days later I decided to research the statute in an effort to determine my rights under same only to find the violated statute cited by City Police Officer Bernice Dawson, § 32-5A-171, was missing its sub section, after researching the statute thoroughly I determined the missing sub section was (a), which ironically barred the action

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Taken against me by Tuskegee City Police Officer Bernice Dawson, on July 5, 2007, and the actual Lawful Speed Limit on State Hiway 81 North out Side the Tuskegee City Limits at or Near the Old Tuskegee or Western Inn was 55mph rather than the 45 mph Claimed by THE City of Tuskegee's Police Officer Bernice Dawson.

5. I Rushed and filed my Motion for dismissal on the ground that the Municipal Court Lacked Jurisdiction or in the alternative, Motion for trial by Jury which I expected would be held in the Circuit Court of Macon County. (See ~~Ex~~ 'C')

6. ON August 3, 2007 I filed motion to Dismiss for Lack of Jurisdiction or in the alternative, Motion for trial by Jury: See attached as exhibit 'C' in the City Clerks Office.

7. ON August 9, 2007 at 9:00am I appeared in Municipal Court before the Honorable Albert C. BULLS III., who ask me for my Plea at which time I replied Judge with all due respect. I have a motion before the Court to dismiss this action for Lack of Jurisdiction pursuant to § 32-5A-171(9), Judge BULLS, then stated to me Mr. Austin, I am a Judge and I know the Law. Now,!! I ask you again, Mr. Austin How do you Plea I began to repeat my Self at which time Judge BULLS stated Mr. Austin, I will enter a Plea for you of Not Guilty.

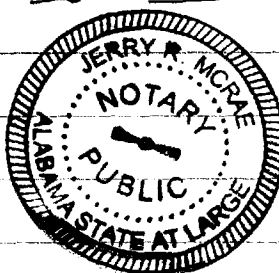
5 M 22

I began to Object!!! that's when Judge BULLS, ordered me to raise my right hand to be Sworn. I reluctantly complied, Within a few minutes it was all over after Officer Dawson of the Tuskegee Police, Testified that ON the day in question She was shooting Radar back toward the City of Tuskegee, per her Assignment and observed my Vehicle traveling Near the Tuskegee or Western Inn, speeding 60 mph in the 45 mph Zone, Wherein she stopped me and followed my vehicle into the South most parking Lot of the Old Tuskegee or Western Inn and issued said Ticket.

8. The City of Tuskegee Municipal Court Judge ALBERT C. BULLS III, found me guilty of speeding 55 MPH., ON STATE Highway 81 N., outside OF the City of "Tuskegee Municipal Corporate Limits." Where the Legal posted speed is 55 MPH. and I was ALSO Fined \$120⁰⁰ For Violating Statute § 32-5A-171(9), with both my motions, ignored, more over, I was given 14 days to pay said fine or be Jailed. See: exhibit "3", and I paid the fine of \$120⁰⁰ on 8/20/07 see exhibit "2" attached as well. Along with by. Along with

Jerry R. McRae, Notary

Com. Expires 2-28-09



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BRIEFI. THE FACTS

The factual circumstances from a review of Plaintiff, case file herein as it pertains to the Defendant's are as follows:

(1) Plaintiff, ALONZO AUSTIN, SUES Defendants "THE CITY OF TUSKEGEE et. al." in their individual and official capacities for Damages. (Actual \$120⁰⁰) (Compensatory \$600,000⁰⁰) (Punitive \$450,000⁰⁰) (Cost of Court) and to Set a Side Court Order and fine on 08/09/07, of \$120⁰⁰ for Speeding 55/45 with ADJUDICATION of Guilty Regarding Ticket Number 096 6241e

(2) And for among other things, Malicious Abuse of Process for: Wrongfully and UNLAWFULLY prosecuting Plaintiff and finding Same guilty of Speeding pursuant to an illegal stop resulting in an unlawful and invalid Traffic Ticket issued by one of the Defendant's Tuskegee's City Police Officer BERNICE DAWSON, for Speeding out side of the Corporate Limits of the Municipality in Violation of § 32-5A-17(9). On July 5, 2007.

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(3) The plaintiff, seeks redress for Violation of its rights pursuant to the Fourth Amendment of the Constitution of the United States, to be free from illegal Seizures, the plaintiff's right to be free from police harassment and intimidation as provided for in the Fifth and Sixth Amendments of the Constitution of the United States; the plaintiff's, right to be free from malicious Abuse of process and unlawful Seizures as provided for in the Fourth and Fourteenth Amendments to the Constitution of the United States; and the plaintiff's, right to due process and equal protection of the Law as guaranteed by the fourteenth Amendment to the Constitution of the United States.

(4) plaintiff is a member of a Protected Class for purposes of the Equal Protection Clause. as I am an African American Citizen.

(5) plaintiff ALONZO AUSTIN, hear and Now files his Motion For Summary Judgment, against the Defendant's, The CITY OF TUSKEGEE et, al.

II. STATEMENT OF LAW

A. A party in a Lawsuit may move a Court to enter Summary Judgment before trial,

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FED. R. CIV. P. 56(a) and (b), Summary Judgment is appropriate when the moving party establishes that there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.

FED. R. CIV. P. 56(c), Celotex Corp. v. Catrett, 477 U.S. 317, 322-24, 106 S.Ct. 2548, 91 L.Ed. 2d 265 (1986), Gonzalez v. Lee County Housing Authority, 161 F.3d 1290, 1294 (11th Cir. 1998)

Once the movant meets its burden under Rule 56, the non-movant must designate specific facts showing there is a genuine issue for trial. Matsushita Elec. Indus. Co., Ltd. v. Zenith Radio Corp., 475 U.S. 574, 586-87, 106 S.Ct. 1348, 89 L.Ed. 2d 538 (1986).

The party opposing Summary Judgment must respond by setting forth specific evidence in the record and articulating the precise manner in which that evidence supports his or her claim, and may not rest upon the mere allegations or denials of the pleadings, FED. R. CIV. P. 56(e), Johnson v. Board of Regents of the University of Georgia, 263 F.3d 1234, 1264 (11th Cir. 2001)

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B. CITY OF TUSKEGEE, IS NOT ENTITLED TO ABSOLUTE IMMUNITY IN THEIR OFFICIAL CAPACITIES FROM PLAINTIFF DAMAGES,

As these governmental officials, have not established that they were acting within their discretionary authority on July 5, 2007, when Officer Bernice Dawson, testified in Municipal Court on 8/9/07 she was on assignment for the Tuskegee City Police, at the Tuskegee, or Western inn, location on the 5th of July 2007, approximately 8:40 am, shooting Radar, back into the city limits, while operating outside of same when she clocked plaintiff, speeding 60 mph in a 45 mph zone along 81 N. A State Highway, heading toward I-85, near her location at the Old Tuskegee or Western INN, where plaintiff was unlawfully stopped in the South parking lot and giving citation # 0966261, in violation of 32-5A-171(9) which is a state statute that prohibits the action taken by the Tuskegee City Police, and as such the CITY OF TUSKEGEE violated plaintiff fourth and fourteenth Amendments rights to the United States Constitution as they were outside of the municipal corporate limit issuing traffic ticket in violation of 32-5A-171(9)

and more over, The Municipal Court and City Prosecutor have not proven that they were acting within their discretionary authority. On August 9, 2007, when they convene court ignored Plaintiff Motion to DISMISS, For Lack of Jurisdiction or in the Alternative allow a Jury trial, by transferring Case if Necessary. However, instead thereof, Plaintiff, was prosecuted and found guilty of the same Law that protects him from the very action that Defendant's Claim Plaintiff was in violation of with a \$120⁰⁰ Fine or Jail time if not paid by August 23, 2007. as order by Municipal Judge Albert C. Bruns.

The aforementioned action by these Defendants also violated Plaintiff fourth and fourteenth Amendment Rights to the U.S. Constitution.

And as such the Law is well settled ~~that~~ Amendment protection extends to States Not municipality as Cities are considered person, as in *McNell v. New York City Dept. of Social Services*, 436 U.S. 658, 98 S.Ct. 2018, 56 L. Ed. 2d 611 - which held that a municipality is a person under § 1983 - is Not to the contrary, since States are protected by the Eleven Amendment while Municipalities are Not P.P. 2307 - 2311.

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C. CITY OF TUSKEGEE IS NOT ENTITLED TO QUALIFIED IMMUNITY IN THEIR INDIVIDUAL CAPACITY FROM PLAINTIFF DAMAGES

While Municipalities are protected from Liability to some extent, They enjoy no qualified immunity from Suit under § 1983. 42 U.S.C. § 1983

Furthermore, a municipality can not be held liable on a respondeat superior theory but only where a municipal policy or custom caused the constitutional injury. 507 U.S. at 166, 113 S.Ct. at 1162. However, protection from liability does not encompass immunity from suit. Where a § 1983 claim is asserted against a municipality, only the liberal pleading standards of Rule 8(a)(2) apply. 507 U.S. at 168, 113 S.Ct. at 1163.

Additionally qualified immunity protects government official performing discretionary functions from suits in their individual capacities ~~unless~~ their conduct violates clearly established statutory or constitutional rights of which reasonable person would have known.

D. Defendants Violated Plaintiff Statutory Rights under 32-5A-17(9) Code of AL. 1975.

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E. DEFENDANT VIOLATED Plaintiff
CONSTITUTIONAL Rights
THE Fourth and Fourteenth Amendments
TO THE U.S. CONSTITUTION.

When plaintiff was unlawfully stopped on July 5, 2007 out side of the city limits of Tuskegee for speeding 55/45 along State Highway 81 N. wherein the lawful speed limit is 55 mph and yet the Municipal Court found Plaintiff Guilty of in essence speeding 55 in a 55 mile a hour zone. ON a State highway in ALABAMA which is the maximum lawful speed limit.

VEHICLE STOPS

A seizure occurs whenever a vehicle is stop therefore the fourth Amendment applies.

A traffic stop is a seizure within the meaning of the fourth Amendment.

U.S. V. Purcell, 236 F. 3d 1274, 1277 (11th Cir. 2001).

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THEREFORE, in the interest of Justice
Punitive and Compensatory Damages Show
Issue for this Malicious Abuse of Process.

III CONCLUSION

Based upon the foregoing undisputed facts
and applicable Case Law, Plaintiff,
ALONZO AUSTIN, respectfully request
that this Honorable issue an order
granting Plaintiff, ALONZO AUSTIN, MOTION
For Summary Judgment Against
The Defendant's City of Tuskegee et al.

Respectfully Submitted

Alonzo Austin, Pro Se
ALONZO AUSTIN
1321 Oliver-Carles Rd
Tuskegee, AL, 36088
Ph# (334) 727-5476

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CERTIFICATE OF SERVICE

I hereby Certify that I have Served
a copy of the Foregoing Documents
Upon the Following

CITY OF Tuskegee et.al.
c/o MR HOLTSFORD, GILLIAND HIGGINS
AND HITSON P.C.

P.O. Box 4128

Montgomery AL. 36103-4128

by placing Same in the U.S. mail
postage pre paid on February 21, 2008

by Alonzo Austin pro se
Alonzo Austin
1321 Oliver-Carlisle Rd.
Tuskegee, AL. 36083
ph# (334) 727-5476

Exhibit 17

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FORM UTC-1
REV. 3/97ALABAMA UNIFORM TRAFFIC
TICKET AND COMPLAINT

COURT CASE NO.

07/1959

ALABAMA, COUNTY OF

CO. CITY

TICKET
NUMBER

N 0966261

The undersigned, being duly sworn, deposes and says that he/she has probable cause to believe and does believe that the person herein named did, within the previous 12 months, commit the offense set forth contrary to law in that on or about

TYPE VEHICLE

☐ Commercial
☐ Haz-Mat Involved
☐ Other
☐ Private

First Name

Middle/Maiden

Last

Address

Street

City

State

Zip Code

State

Driver's License Number

Class of License

Sex

Race

DOB

M

D

Y

Social Security Number

Drivers License

in Possession

Yes

No

Age

Wgt

Eyes

Hair

Vehicle Tag Number

State

Year

Vehicle Description

Owner of Vehicle

Driver

Employer

Other

Employer/Owner of Vehicle (Address)

☒ Did unlawfully operate a motor vehicle, other vehicle, or ☐ otherwise unlawfully use a public street, road, highway or other place, at or near

of AL 81, within the ☐ city limits or ☐ police jurisdiction of Tuskegee, or within Mayo County, at or near the following location AL 1990 in violation of ☐ Section 32-5A-171 Code of Alabama, 1975.

☐ or Rule/Regulation number (or) ☐ Municipal Ordinance No. 87/7, duly adopted and in force at the time the offense was committed, (if applicable) ☐ adopting Section 87/7 Code 1975, more particularly described below:

CHECK THE APPROPRIATE BLOCK:

1 ☐ Speeding 60 MPH 45 Speed Limit2 ☐ Reckless Driving3 ☐ Driving Without First Obtaining a Driver's License

DID DRIVE OR BE IN ACTUAL PHYSICAL CONTROL OF A VEHICLE WHILE:

4 ☐ There was .08% or More By Weight of Alcohol in His/Her Blood5 ☐ Under the Influence of Alcohol6 ☐ Under the Influence of Controlled Substance71 ☐ Under the Combined Influence of Alcohol and Controlled Substance72 ☐ Under the Influence of any Substance which Impairs the Mental or Physical Faculties6 ☐ Failure to Yield Right of Way☐ Other Violation (Specify)

UCR Code	KM No.	Street/Road Code
7 <input type="checkbox"/> Driving While Revoked		
8 <input type="checkbox"/> Driving While Suspended		
10 <input type="checkbox"/> Running Red Light		
13 <input type="checkbox"/> Improper Equipment (Specify)		
14 <input type="checkbox"/> Improper Passing		
28 <input type="checkbox"/> Improper Tag (Specify)		
29 <input type="checkbox"/> Improper Turn		
42 <input type="checkbox"/> Overweight Vehicle		
61 <input type="checkbox"/> Child Restraint Violation		
77 <input type="checkbox"/> Seat Belt Violation		

FACTS RELATING TO THE OFFENSE:
(Witnesses, etc)
☐ Companion Case (Traffic, Non-Traffic, Felony, Other)
☐ Accident Involved

Complainant's Signature

Officer ID

Agency ORI

Verified and Acknowledged before me this date
(Circle Title) Judge/Magistrate

☒ Municipal☐ District Court

COURT APPEARANCE INFORMATION

Phone

Court Appearance Date

Time

Court Address

I Promise to appear in court at said time and place or otherwise comply with the provisions of this complaint and instructions of the notice part of this ticket.

Defendant's Signature

Phone ()

☐ Released on Own Recognizance☐ Driver's License Posted in Lieu of Bond

NAME

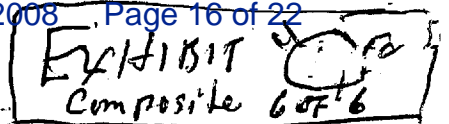
TICKET # N 0966261

CASE #

N/O

ABSTRACT OF COURT RECORD - DPS DATA INPUT

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IN THE MUNICIPAL COURT OF TUSKEGEE

CITY OF TUSKEGEE,

Plaintiffs

v.

ALONZO AUSTIN

Defendant,

Case No.



DEFENDANT ALONZO AUSTIN'S MOTION TO DISMISS FOR
LACK OF JURISDICTION OR IN THE ALTERNATIVE,
MOTION FOR TRIAL BY JURY:

COMES now, The Defendant ALONZO AUSTIN,
 pursuant to § 32-5A-171 Code of AL. 1975.
 and respectfully moves this honorable Court
 for the entry of an order granting the instant
 Motion to Dismiss Instantly in the within Cause.

A copy of the aforesaid pleadings by Defendant
 were attached hereto as Exhibits "A" § 32-5A-171(9)
 Identified as "RULES OF THE ROADS" and
 Exhibit "B" Identified as "ALABAMA UNIFORM
 TRAFFIC TICKET AND COMPLAINT".

IN Support of the foregoing motion Defendant
 hereto annexes and by this reference incorporates
 herein the following Memorandum.

Respectfully Submitted,
by Alonzo Austin, Pro Se
 ALONZO AUSTIN
 1321 Oliver-Carlisle Rd.
 Tuskegee, AL. 36083
 Ph# (334) 727-5476

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MEMORANDUM IN SUPPORTI. FACTS

ON or about July 5, 2007 approximately 8:40am Defendant was issued a traffic ticket for speeding 60 mph in a 45 mph limit. by officer Bernice Dawson, officer ID# 634 in violation of 32-5A-171 and Municipal ordinance No. 87/7 officer Dawson goes on to state that Defendant did unlawfully operate a motor vehicle at or near AL. 81 but did not state whether offense occurred by checking the appropriate block indicating within "City limits" or "Police jurisdiction" of Tuskegee or within Macon County's jurisdiction.

Dawson's claim that offense occurred at or near AL. 199 is false, Defendant will argue that Officer Dawson, could not have possibly seen Defendant traveling on AL. 199 period as she and I first observed each other vehicles on 81 wherein Defendant was traveling North and Officer Dawson, was at the old "Tuskegee Inn" traveling South when she activated her vehicle's blue light where upon that instant Defendant, activated left turn signal Trooper Dawson allowed Defendant who was head North on 81 clearly out of the City limits to turn left in front of her vehicle ~~and~~ headed South on 81 into the "rear parking Area South of the restaurant" wherein she cited me for speeding 60 in a 45 mph. limit. However, "For the record" the Officer was operating out side of the City limits and were closer to I-85 and AL 81, than AL 81 and AL 199, as she stated.

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In light of the foregoing ALONZO AUSTIN
by its instant motion, respectfully request
that this Court Grant the relief requested
and dismiss this Ticket as jurisdictional grounds.

II LAW

§ 32-5A-171 (9) Any speed limit set
Pursuant to this Section shall be enforced
by any municipality or any law enforcement
officer of a municipality only within the
Corporate limits of the municipality and not
within the police jurisdiction of the Municipality.

III CONCLUSION

For all the foregoing reason motion should
be Granted.

Respectfully Submitted,,

By, Alonzo Austin pro se

ALONZO AUSTIN

1321 Oliver-Carlisle Rd.

Tuskegee, AL 36083

Ph# (334) 727-5476

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EXHIBIT "A"

§ 32-5A-171

RULES OF THE ROAD

§ 32-5A-171

(9) Any speed limit set pursuant to this section shall be enforced by any municipality or any law enforcement officer of a municipality only within the corporate limits of the municipality and not within the police jurisdiction of the municipality. (Acts 1980, No. 80-434, p. 604, § 8-102; Acts 1987, No. 87-408, p. 593; Acts 1994, No. 94-617, p. 1147, § 1; Acts 1996, No. 96-577, p. 913, § 1.)

Commentary

This section differs substantially from the comparable UVC provision, UVC § 11-801.1 due to legislative revision of the section and it also represents a substantial change from the wording of the earlier law, which was found in sections 32-5-90 and 32-5-91. A basic difference between the prior law and this section is that the former law's speed limits were *prima facie* limits (with the exception of special speed limits on bridges under section 32-5-92 and the 6% limits in section 32-5-90(a)). This means that under prior law it was not usually an offense to exceed the speed limits if the speed could be deemed reasonable and prudent under all the circumstances. Under this section, all speed limits are absolute limits, which should serve to simplify their enforcement. In addition, this section abolishes separate speed limits for business and residence districts.

HISTORY**Amendment notes:**

The 1994 amendment, effective December 1, 1994, added subdivision (2) and redesignated the following subdivisions accordingly; in subdivisions (3) and (4), substituted "subdivision (6)" for "subdivision (5)"; substituted "subdivision (6)" for "subdivision (5) hereof" in subdivision (4); and made nonsubstantive changes.

The 1996 amendment, effective May 17, 1996, in subdivision (2), designated the existing text as paragraph a., and added paragraph b.; in subdivision (3), inserted "or highways having four or more traffic lanes" and "or as provided in subdivision (7)"; in subdivision (4), substituted "70" for "55", substituted "or on any other highway having four or more traffic lanes at a speed in excess of 65 miles per hour," for "in urban areas of 50,000 population or more or in excess of 65 miles per hour outside urban areas unless a different maximum rate of speed is permitted or allowed by the Federal Highway Administration, or", and inserted "or as provided in subdivision (7)"; in subdivision (5), substituted "the" for "such" following "transporting" and inserted "or as provided in subdivision (7)"; in subdivision (6), substituted "may" for "is hereby specifically authorized to"; and added subdivisions (8) and (9).

Code Commissioner's Notes

In 1994, the Code Commissioner restored the language "such substances. No person shall operate" in the first and second sentences of

subdivision (5) to correct an omission made during the drafting of Act No. 94-617.

Act 96-577, which amended this section, provided in § 2: "One year following the passage of this act, the Department of Public Safety shall report to the Legislature on the traffic fatalities in the State during the last calendar year and the relation of these fatalities to the increased speed limit."

RESEARCH REFERENCES**Am Jur:**

7 Am. Jur. 2d, Automobiles & Highway Traffic, § 180-193.

Annotations:

Driving at illegal speed as reckless driving within statute making reckless driving a criminal offense. 52 A.L.R.2d 1337.

Speed alone or in connection with other circumstances as gross negligence, wantonness, recklessness, or the like, under automobile guest statute. 6 A.L.R.3d 769.

Definiteness of automobile speed regulations as affecting validity. 6 A.L.R.3d 1326.

Products liability: sufficiency of evidence to support product misuse defense in actions concerning commercial or industrial equipment and machinery. 64 A.L.R.4th 10.

American Digest System:

Automobiles ⇨ 168(2), 331.

Corpus Juris Secundum:

C.J.S. Motor Vehicles §§ 290, 641.

2007 22

~~10/2/07~~

CERTIFICATE OF SERVICE

I ALONZO AUSTIN, do hereby Certify
that I have this day served a
copy of the foregoing documents
upon the City of Tuskegee Pro-
secutor's office, by depositing same
in the U. S. mail ~~or~~ delivering in
person at,

302 So main St,
Tuskegee, Al. 36083

by Alonzo Austin pro se
Alonzo Austin
1321 Oliver-Callis Rd.
Tuskegee, Al. 36083
Ph# (354) 727-5476

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Exhibit '3'

Court O.R.I.		COURT RECORD		COURT CASE NUMBER	
AL		YEAR		NUMBER	
<input type="checkbox"/> MUNICIPAL COURT OR <input type="checkbox"/> DISTRICT COURT OF DEFENDANT'S NAME		COUNTY	TICKET NUMBER N 0966261		
CHARGE					
CONTINUED TO		M	D	Y	REASON
2ND CONTINUANCE		M	D	Y	REASON
UTC-6A MAILED		M	D	Y	
NEW COURT DATE		M	D	Y	
UTC-6B ISSUED		M	D	Y	
UTC-6B CLEARANCE		M	D	Y	
WARRANT ISSUED		M	D	Y	
BOND SET \$					
CASH DEPOSITED \$					
WARRANT SERVED		M	D	Y	
WARRANT RECALLED		M	D	Y	
CONDITIONAL BOND FORFEITURE ORDER ISSUED		M	D	Y	
BOND FORFEITURE ORDERED FINAL		M	D	Y	
ATTORNEY FOR DEFENDANT		CHECK IF: <input type="checkbox"/> Defendant informed of right to counsel <input type="checkbox"/> Defendant found indigent, counsel appointed <input type="checkbox"/> Voluntarily waived counsel			
PLEA OF DEFENDANT (CHECK ONE)					
1 <input type="checkbox"/> Guilty as charged 2 <input type="checkbox"/> Guilty of 3 <input checked="" type="checkbox"/> Not guilty					
ADJUDICATION (CHECK ONE)					
3 <input checked="" type="checkbox"/> Guilty of <u>55/45</u> 1 <input type="checkbox"/> Guilty as charged 2 <input type="checkbox"/> Not guilty 4 <input type="checkbox"/> Not pressed 5 <input type="checkbox"/> Dismissed					
ORDERS OF THE COURT					
FINE \$		COURT COSTS \$		TOTAL FINE AND COURT COSTS \$ <u>120.00</u>	
ADDITIONAL PENALTIES / FEES / COSTS					
HEAD INJURY DUI \$		CRIMINAL HISTORY DUI \$10.00		CRIME VICTIMS (DUI/RECKLESS DRIVING) MISDEMEANOR (MINIMUM \$25.00) \$	
HOUSING & MAINTENANCE \$		MEDICAL \$		ATTORNEY RECOUPMENT \$	
RESTITUTION \$		PARTIAL PAYMENTS AUTHORIZED FOR \$		LOCATION	
<input type="checkbox"/> JAILED		M	D	Y	
<input type="checkbox"/> SENTENCE SUSPENDED		<input type="checkbox"/> PROBATION		<input type="checkbox"/> COMMUNITY SERVICE	
DAYS		MONTHS		DAYS	
<input type="checkbox"/> TRAFFIC SAFETY PROGRAM		M	D	Y	
<input type="checkbox"/> SUBSTANCE ABUSE EVALUATION		<input type="checkbox"/> COURT REFERRAL PROGRAM COMPLETED		M	D
COURT ORDERED LICENSE SUSPENSION		<input type="checkbox"/> CONSECUTIVE		LICENSE SURRENDERED TO COURT	
DAYS		MOS.		RECEIVED BY	
<input type="checkbox"/> CONFIDENTIAL: <input type="checkbox"/> NO - <input type="checkbox"/> IF YES: <input type="checkbox"/> Juvenile <input type="checkbox"/> Youthful Offender					
<u>8/10/07 - Pay in full by Aug 23, 07</u> <u>or 1 day in jail</u>					
DISPOSITION DATE					
SIGNATURE OF JUDGE/MAGISTRATE					
CASE APPEALED		APPEAL BOND \$		CIRCUIT COURT CASE NUMBER	
M		D		Y	
ARRESTING AGENCY (TYPE OF ARREST) <input type="checkbox"/> STATE <input type="checkbox"/> COUNTY <input type="checkbox"/> MUNICIPAL					
CASH RECEIVED FROM		RECEIPT #		AMOUNT \$	
NAME AND TITLE		3834		120.00	
DATE		M		D	
8		20		07	
LICENSE ATTACHED: <input type="checkbox"/> YES <input type="checkbox"/> NO		DPS RECEIVED LICENSE <input type="checkbox"/> YES <input type="checkbox"/> NO			

COURT ACTION AND DISPOSITION

Exhibit T¹¹¹ 22

receipt2.prn

Case Number:	<u>TR-07-001959</u>	Date:	<u>8/20/07</u>
Name:	<u>ALONZO AUSTIN</u>	Time:	<u>09:19:36</u>
Record Number:	<u>0019407</u>	Source:	<u>RK/TUSCARLA</u>
Receipt Number:	<u>0003834</u>	Cashier:	_____
Payment Type:	_____	Paid by Bond Forfeiture:	_____

<u>\$20.00</u>	Fine Payment
<u>\$100.00</u>	Court Cost Payment
<u>\$.00</u>	Restitution/Other Payment
<u>\$.00</u>	Cash Bond
<u>\$120.00</u>	Payment Total

<u> \$. 00 </u>	Fine Balance
<u> \$. 00 </u>	Court Cost Balance
<u> \$. 00 </u>	Restitution/Other Balance
<u> \$. 00 </u>	Total Balance Due
<u> \$. 00 </u>	Cash Bond Balance

[illegible]

\$. 00